

**NELSON MULLINS RILEY & SCARBOROUGH, LLP**

Lee B. Hart, Esq.  
201 17<sup>th</sup> Street, Suite 1700  
Atlanta, Georgia 30363  
Telephone: (404) 322-6000  
Facsimile: (404) 322-6050

Gary M. Freedman, Esq.  
2 South Biscayne Blvd., 21<sup>st</sup> Floor  
Miami, Florida 33131  
Telephone: (305) 373-9400  
Facsimile: (305) 373-9443

*Co-Counsel for Benefit Street Partners  
Realty Operating Partnership, L.P.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

96 WYTHE ACQUISITION LLC,  
Debtor.

Case No. 21-22108 (RDD)  
Chapter 11

**MOTION TO WITHDRAW AS COUNSEL**

The undersigned attorney, Gary M. Freedman (the “Movant”) of Nelson Mullins Riley & Scarborough LLP moves for leave of Court to withdraw as counsel for Creditor, Benefit Street Partners Realty Operating Partnership, L.P. (hereinafter “Creditor”), and in support thereof, the Movant states:

1. The Movant was retained by Creditor for representation in the above-captioned case.
2. The Movant is in the process of retiring from Nelson Mullins Riley & Scarborough LLP and will thereafter be unable to continue representation of the Creditor.

3. Creditor will continue to be represented by Lee B. Hart of the law firm of Nelson Mullins Riley & Scarborough LLP. Mr Hart has already made an appearance in this case and therefore is already receiving notice of service of court documents through CM/ECF.

4. The requested withdrawal will not cause any delay in this matter.

5. A proposed Order is attached hereto as **Exhibit A**.

WHEREFORE, Gary Freedman respectfully requests that the Court grant this motion and permit him to withdraw from this case.

Dated: April 16, 2024

Respectfully submitted,

/s/ Gary M. Freedman

Gary M. Freedman

Florida Bar No.: 727260

[gary.freedman@nelsonmullins.com](mailto:gary.freedman@nelsonmullins.com)

NELSON MULLINS RILEY & SCARBOROUGH LLP

2 South Biscayne Blvd., 21<sup>st</sup> Floor

Miami, FL 33131

Telephone: 305-373-9449

Facsimile: 305-995-6393

*Attorneys for Creditor, Benefit Street  
Partners Realty Operating Partnership,  
L.P.*

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on April 16, 2024, a true and correct copy of the foregoing has been furnished via transmission of Notices of Electronic Filing on all counsel of record or pro se parties identified on the CM/ECF service list maintained by the Court.

/s/ Gary M. Freedman

Gary M. Freedman